

NS

COMPLAINT

(for non-prisoner filers without lawyers)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT
EASTERN DISTRICT - WI
FILED

2020 JUL 16 P 12:54

CLERK OF COURT

(Full name of plaintiff(s))

ORA ROUSE et al

v.

Case Number:

20-C-1083

(to be supplied by Clerk of Court)

(Full name of defendant(s))

SDM LIVING TRUST; MPI PROPERTY MANAGEMENT;

WESLEY ANDERSON; AND CITYWIDE RENTALS

A. PARTIES

1. Plaintiff is a citizen of Wisconsin Republic and resides at
(State)

2873 N. 41st Street, Milwaukee

(Address)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant SDM LIVING TRUST c/o Seth Munter Trustee

(Name)

is (if a person or private corporation) a citizen of CALIFORNIA
(State, if known)
and (if a person) resides at 183 Alpine Terrace, San Francisco
(Address, if known)
and (if the defendant harmed you while doing the defendant's job)
worked for _____
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

This is a complaint for the Court of Record.

On 8/17/2018 property owner Wesley T. Andersen through Citywide Rentals, rented
2871- 2873 N. 41st to the Plaintiffs, without disclosing that the property was in need of
repair and order violations had been cited on the property in the past. This is a violation
of Wis. Stat. Ann. § 100.18 Marketing; Trade Practices; Fraudulent representations,
Unfair or Deceptive Acts or Practices and ATCP 134.04 Disclosure requirements.
Complaints were made to CITYWIDE RENTALS about defects in the house.
The complaints went unanswered. The Plaintiffs called for a city inspection which took
place on 11/6/2018 resulting with orders to correct conditions by 12/14/2018. None of
the violations were repaired by the deadline or thereafter, and conditions worsened.

This is a violation of WISCONSIN LEGISLATURE 704.07 Repairs; untenability.

The Plaintiffs decided to withhold the rent and the Defendants filed an an eviction complaint on 12/28/2018. The Plaintiffs appeared in court on 1/10/2019 and agreed to pay pay the rent and the case was dismissed. From January to March 2019 no repairs were ever made to the property and Wesley T. Andersen through Citywide Rentals still received rent payments. It is believed that the eviction was retaliation which is a violation under Wisconsin Statute 704.45 and ATCP 134.09(5). On March 15, 2019 SDM LIVING TRUST c/o of SETH MUNTER, Trustee, purchased the property with MPI PROPERTY MANAGEMENT as the property managers. The Plaintiffs made numerous complaints to the new owners and another city inspection ensued on 9/26/2019 resulting with orders to correct conditions by 11/30/2019. No repairs were made to the property. The Plaintiffs decided to withhold the rent the Defendants filed an eviction complaint on 10/2/2019. The Plaintiffs appeared in court on 10/16/2019 and agreed to pay the rent and the case was dismissed. From October through March 2020, the ordered repairs were never made to the property, and SDM Living Trust c/o of Seth Munter, still received rent payments.

C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☐ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$ _____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

The Plaintiffs are seeking an award of \$300,000.00 as per the Plaintiffs Fee

Schedule. This amount will compensate the number of tenants listed on the lease, and

will be divided as such. Summons, Court Notices (without contract) \$78,000. ,

Breach of Contract \$15,000. , Silence/Dishonor/Default \$15,000. , Reporting

Inaccurate Credit Information \$75,000. , Time usage for court appearances: 90 minutes

or more, under Protest and Duress \$60,000. , Return of Paid Rental Fees \$47,000. ,

Loss of Personal Belongings due to Basement and Other Leaks \$10,000. We will

except the transfer of the property 2871-73 N. 41st St., over to our Trust as a

reduction to the total amount owed. The value of the property as of 2019 is \$60,600.00.

E. JURY DEMAND

I want a jury to hear my case.

☐ - YES

☒ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this _____ day of _____ 20 20.

Respectfully Submitted,

Joe R... 2/2/1970
Signature of Plaintiff

(44) 888 - 43
Plaintiff's Telephone Number

Plaintiff's Email Address

2873 N. 41st Milwaukee, WI
53210

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE



I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Filing Fee form and have attached it to the complaint.



I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.

ADDITIONAL INFORMATION FOR COMPLAINT

From PAGE 1 Section A. PARTIES - Additional Defendants:

- 1) MPI PROPERTY MANAGEMENT
6700 W. Fairview Ave.
Milwaukee, WI 53213
- 2) CITYWIDE RENTALS
8432 W. Lisbon Ave.
Milwaukee, WI 53222
- 3) WESLEY T. ANDERSEN
164 N. 72nd St.
Milwaukee, WI 53213

From PAGE 2 Section B. STATEMENT OF CLAIM -List the statutes, law, or regulation that we believe the defendants violated:

Wisconsin Statutes and Annotations

Wis. Stat. Ann. § 100.18 Marketing; Trade Practices. Fraudulent representations.
Wisconsin Legislation Chapter 704.07 Repairs; untenability

United States Code:

15 USC §45 Unfair or Deceptive Acts or Practices

Department of Agriculture, Trade and Consumer Protection (ATCP)

ATCP 134.04 Disclosure requirements.
ATCP 134.07 Promises to repair